



NC DEPARTMENT OF  
**HEALTH AND  
HUMAN SERVICES**

**ROY COOPER** • Governor

**MANDY COHEN, MD, MPH** • Secretary

**MARK PAYNE** • Director, Division of Health Service Regulation

**MEMORANDUM**

**DATE:** June 15, 2020

**TO:** Interested Parties

**FROM:** Nadine Pfeiffer, Rule Review Manager *MP*

**RE:** Proposed Readoption of Hospice Licensing Rules – 10A NCAC 13K

GS 150B-21.2 requires a rule-making body to notify certain individuals of its intent to adopt a rule. It also requires notification of the date, time and location of the public hearing on the rule and any fiscal analysis that has been prepared in connection with the proposed rule. At this time, five rules are being readopted as a result of the periodic review of the Subchapter 10A NCAC 13K rules, thereby requiring rules determined as “Necessary With Substantive Public Interest” be readopted as new rules.

The North Carolina Medical Care Commission has submitted form OAH 0300 to the Codifier of Rules, Office of Administrative Hearings, indicating its intent to proceed with the following rule-making actions:

10A NCAC 13K Hospice Licensing Rules

10A NCAC 13K .0102	Definitions (Readopt)
10A NCAC 13K .0401	Personnel (Readopt)
10A NCAC 13K .0604	Patient’s Rights and Responsibilities (Readopt)
10A NCAC 13K .0701	Care Plan (Readopt)
10A NCAC 13K .1104	Dietary Services (Readopt)

In accordance with G.S. 150B-21.3A(d)(2), a fiscal analysis was prepared for rules with substantive change. Approval of the fiscal analysis for these rules was obtained from the Office of State Budget and Management on January 31, 2020 in accordance with G.S. 150B-21.4.

The proposed rule text is attached to this memo. The rules were published in today’s June 15, 2020 edition of the N.C. Register which can be found at the Office of Administrative Hearings web site at <https://www.oah.nc.gov/documents/nc-register>.

A public hearing is scheduled for July 29, 2020 at 10:00 a.m. in Room 134, Lineberger Building, 1205 Umstead Drive, Raleigh, NC 27603. The building is located in the Dorothea Dix Park. Ms. Nadine Pfeiffer, DHSR Rule Review Manager, is accepting public comments on these rules and the fiscal analysis from

**NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH SERVICE REGULATION**

**OFFICE OF THE DIRECTOR**

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June 15, 2020 – August 14, 2020. Comments will also be accepted in person at the public hearing. The proposed effective date of these rules is January 1, 2021.

A copy of the proposed rules, fiscal analysis, and instructions for submitting comment can be found at the Division of Health Service Regulation web site at <https://info.ncdhhs.gov/dhsr/ruleactions.html>.

Should you have questions related to this memorandum or the proposed rule and fiscal note, please feel free to contact the Acute and Home Care Licensure and Certification Section at (919) 855-4620.

#### Enclosures

cc: Mark Payne, Director, Health Service Regulation  
Emery Milliken, Deputy Director, DHSR  
Joel Johnson, Assistant General Counsel, DHHS  
Azzie Conley, Chief, Acute and Home Care Licensure & Certification Section  
Cindy Deporter, Assistant Chief, Acute and Home Care Licensure & Certification Section